

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JIMMY QUINTIN GREEN,

Plaintiff,

Case No. 05-71093

v.

HONORABLE DENISE PAGE HOOD

**MATTHEW E. ALLEN, and
INKSTER POLICE DEPARTMENT,**

Defendants.

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ORDER ACCEPTING REPORT AND RECOMMENDATION

This matter is before the Court on Magistrate Judge Donald A. Scheer's Report and Recommendation dated January 12, 2006. Neither Party has filed objections to either Report and Recommendation.

Magistrate Judge Sheer recommended that the Court grant Defendant's Motion for Summary Judgment because the Plaintiff failed to allege that his criminal conviction has been overturned or vacated.

After careful review and consideration, the Court finds that the Magistrate Judge reached the correct conclusion for the proper reasons.

Accordingly,

IT IS ORDERED that the Report and Recommendation of Magistrate Judge Donald A. Sheer, [Docket No. 32, filed January 12, 2006] is ACCEPTED and ADOPTED as this Court's findings and conclusions of law.

IT IS FURTHER ORDERED that Plaintiff's Motion Requesting Defendant to Answer Interrogatories [**Docket No. 30, filed January 9, 2006**] is DENIED.

IT IS FURTHER ORDERED that Plaintiff's Complaint [**Docket No. 2, filed March 21, 2005**] is DISMISSED.

s/ DENISE PAGE HOOD
DENISE PAGE HOOD
United States District Judge

DATED: February 16, 2006

I hereby certify that a copy of the foregoing document was served upon Jimmy Green, Reg. No. 31252-039, Terre Haute, IN 47808 and Michael Crow, Esq. on February 16, 2006, by electronic and/or ordinary mail.

s/William F. Lewis
Case Manager